

MINUTES OF REGULAR MEETING HELD JANUARY 29, 2019

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 29, 2019 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 13, 2018. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members Habgood, Arena, Dardia, Neylan, LoGrippo, Contract, Stokes, Mackey

ABSENT:

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman Contract followed by the flag salute.

PRESENTATIONS

Town Administrator's Reports

- Discussed the snowstorm predicted for today and preparation conducted by the Department of Public Works. Informed residents that the forecast has changed to mainly rain with a very minimal amount of snow, if any;
- Discussed various utility projects being conducted by Elizabethtown Gas and the patchwork to roads that is done upon completion. Discussed the Town's efforts to work with Elizabethtown Gas and all utility companies to have them pave entire roadways upon completion of utility work;
- Provided an update of the revaluation process and stated that approximately 9,000 letters were sent to property owners, with the remaining letters expected to be sent next week. Discussed the content of the letter which includes information allowing residents to calculate their estimated property tax through an online calculator available on the Town's website. Also discussed the process including informal hearings which would conclude in mid-February. The tax appeal process would begin upon conclusion of the informal hearings. Discussed information available on the Town's website which could answer many questions residents might have.
- Announced that the Parks Strategic Plan Committee held its first meeting. Discussed plans to hold future meetings in conjunction with the Master Plan process and stated that meetings are expected throughout March, April, May and June.

Councilman LoGrippo asked if the original plan for Tamaques Park was shared with the consultant retained for the Parks Strategic Plan.

The Town Administrator confirmed that the original plan for Tamaques Park was provided to the consultant, and there was also a requirement within the Request for Proposals (RFP) document for this project that the consultant review all previous plans and reports. Also stated that the new Parks Strategic Plan would include all Town parks as well as Memorial Pool.

Mayor's Remarks

- Discussed farewell ceremonies held at the Armory for the two Cavalry troops that were deploying for one (1) year to the Horn of Africa and the Middle East. Explained that those ceremonies were followed by their actual departure three (3) days later, in which members of the Police Department provided an escort to the airport. Stated that it was a privilege to be part of the ceremonies which were orchestrated by Bonds of Courage. Feels they are a reminder of the sacrifices that citizen soldiers make on our behalves. Also stated that she was repeatedly thanked by many of these soldiers for the outpouring of support from the community, which many indicated was above and beyond what they have experienced elsewhere. Thanked those who made posters, volunteered, donated and assembled over four hundred (400) care packages with hand written notes, which were organized as part of the MLK Day of Service;
- Discussed the Martin Luther King Interfaith Service that took place in the midst of the farewell ceremonies which she feels reflected the best of the community. Stated that it was an inspiring service of faith and community, and reminded all to strive to live up to the ideals of tolerance and inclusion that Martin Luther King represented. Extended thanks to all who participated;
- Extended congratulations to the new officers of the Rescue Squad and stated that she had the pleasure of administering their oaths of office at their Dinner Dance on Saturday night. Extended a special thanks to EMS Chief Sergio Guzman and Scheduling Lieutenant Tremaine Ellis, stating that they are “fixtures” at almost all Town events;
- Provided an update concerning the Raritan Valley Line Mayor's Alliance (Alliance) efforts to advocate for one seat ride service. Explained that the Alliance is now working with state senators to pressure NJ Transit to accelerate the restoration of the off peak one seat ride that was taken off line last fall. Stated that in spite of the original commitment to restore this service in February, it now appears that May is more realistic. Also stated that she met with Westfield's new Congressman, Tom Malinowski, who is on the Congressional Transportation Committee and would be key in advocating and securing funding for Gateway, and would also be lending his support to the Alliance. Announced that residents could stay informed by following the Alliance on twitter or liking its Facebook page;
- Announced that she met with Garwood Mayor Sara Todisco and Cranford Mayor Patrick Giblin to discuss shared services, development, mobility, and infrastructure. Explained that with the amount of development occurring in the three (3) communities, they agreed to work together to proactively address issues to alleviate traffic, congestion and safety, and also committed to meeting regularly;
- Announced that she would also be meeting with Summit Mayor Nora Radest while attending a Mayors conference in Trenton to share their municipality's updates on development, Cannabis, and shared services. Stated that she is “shameless” when it

comes to “stealing” the good ideas of others, which she feels makes these mayor meetings productive;

- Extended her thanks to those who attended the Mayor meet up at the Westfield Station Cafe yesterday. Stated that Councilwoman Mackey and Councilman Dardia were also in attendance, and many residents asked great questions. Feels there was a successful turnout and that she would continue to host these meet ups on a regular basis. Also reminded residents that she is a full-time mayor with office hours that are almost daily. Stated that she enjoys when residents stop by and feels there is no need for residents to wait for a public event to visit;
- Reminded residents that Finance Committee Chairwoman Linda Habgood would be hosting a public meeting to discuss the budget on January 31, 2019 in the Community Room in the Municipal Building at 7:00 PM. Encouraged residents to come prepared to ask questions, share thoughts, and provide input into the priorities that they would like to see as the Town begins the budgeting process for 2019;
- Discussed the agenda for this evening which includes a vote on the adoption of an ordinance that would ban smoking during public events such as Jazz Night and Addams Fest, which is consistent with the smoking ban that already exists for parks and sidewalk cafes. In addition, announced that the Town has successfully finalized its Teamsters contract and would be introducing an ordinance to establish the wages for DPW employees from 2019-2022;
- Lastly, addressed the recent robbery that took place at the 7-Eleven on Central Avenue at 2:00 AM on Friday morning. Stated that the neighbors are rightfully concerned about the safety and security of the neighborhood. Commended the Police Department for the quick arrest of the suspects and for their proactive police work. Explained that while it was a frightening experience, there was no concern of danger to residents at any time. Invited The Police Chief to provide background as to what transpired, but asked that residents save questions for the public comment portion of the meeting. In addition, stated that Councilwoman Dawn Mackey, Chairwoman of the Code Review Committee, would address how the Town could potentially address neighbor’s concerns over 24 hour businesses.

Police Chief’s Comments

The Police Chief provided the following statement:

On Friday, January 25th at approximately 2:08 AM the Westfield Police Department’s received a telephone report of a hold up alarm at the 7-Eleven convenience store located at 800 Central Avenue.

It was subsequently determined by responding patrol officers that the convenience store was robbed by a masked individual armed with an apparent firearm.

The suspect reportedly fled prior to the arrival of police with an undetermined amount of cash proceeds in his possession.

Shortly thereafter, during an intensive and comprehensive search of the surrounding area, a patrol officer located an imitation firearm apparently discarded by the fleeing suspect.

The Westfield Police Department uses a public notification system called Nixle.

I have also given the town's Public Information Officer access to this system, to transmit messages that she, or the Town, deems necessary.

The Public Information Officer did subsequently transmit an advisory message to area residents, advising them of the robbery and several related arrests.

I understand that many area residents feel as if they should have been immediately notified of this incident via Nixle.

Nixle can be used to transmit messages to the general public for several reasons. They include: Alerts, Advisories and Community messages.

The message regarding the robbery and related arrests was an ADVISORY message, it was not an ALERT.

The Westfield Police Department only transmits Alerts when IMMEDIATE action needs to be taken . . . such was NOT the case here.

Our established procedures are that the Public Information Officer defers transmitting any messages regarding criminal activities to the Westfield Police Department.

Any such messages are only transmitted after prior consultation with the Westfield Police Department.

Such was the case here. . and I thank the Public Information Officer for working with us on this.

That being said, the armed robbery which occurred at the 7-11 on January 25th at approximately 2AM was, no doubt, a serious crime – regardless if the firearm used was an imitation.

There is absolutely no intent to withhold any information from the public. The news release regarding this matter was issued by the Westfield Police Department through the Public Information Officer as soon as it was deemed practical to do so.

I can assure you, that based on our on-scene investigation during the early morning hours, we definitively determined the suspect had fled the area and did NOT present an immediate threat to the safety of any area residents.

This was verified through several means, including the use of a police canine. However, the other means I cannot share with you at this time

There was no need to cause any undue public alarm, especially since a police investigation was on-going and we believed that an arrest was very imminent.

There is no doubt this robber was a danger to the general public, just not any longer to Westfield at that time.

However, until our investigation verified events, through the completion of formal victim/witness statements and a review of video surveillance and other evidence, we could not

permit any information to be released that was not determined to be factual . . . or would otherwise impede or have a detrimental impact on our on-going criminal investigation.

I am sorry this did not satisfy some.

We will only transmit alert messages when there is an immediate danger and definitive action needs to be taken. Such was not the case here.

The message that was later transmitted was an Advisory message.

When we first launched the neighborhood watch Nixle program last October, we specifically stated that we wanted to provide more localized information about criminal activity in order to heighten awareness.

We advised that messages often cannot and would not be issued in real time, as the police need time to verify details . . . to ensure that any information disseminated is factual . . . and does NOT compromise any police investigative efforts.

To date, we have only ever transmitted one ALERT message . . . that was when a 350-pound bear cub was observed by police on E. Broad St, running through residents' yards.

That bear cub present presented an immediate threat to the public's safety . . . its presence required immediate action . . . which was for residents to seek shelter indoors.

As stated in the news release, I am very proud of the remarkable work of our patrol officers and detectives, who brought this robbery investigation to fruition with an arrest within hours of its occurrence.

This was exceptional police work and the arrest of this criminal is a very significant event, as we suspect he was involved in many other robberies in several other jurisdictions.

So, as you can imagine, we are being very careful to safeguard any and all information to allow for the preservation of other evidence yet to be located. . . and which could still be altered, damaged and/or destroyed.

I am fully willing to work with the Mayor and Council, or any council committee, on any issues that will improve public safety and help deter future such criminal acts . . . at any location . . . anywhere in Town.

While our officers routinely frequent 24-hour establishments during the overnight hours, I have since directed them to begin initiating random, routine checks of all 24-hour establishments throughout the night.

Furthermore, we are considering the implementation of other, additional, proactive measures which seek to deter such criminal activity.

Please have every confidence in your police officers . . . and rest assured that we are doing our very best to protect you, your families, and your property.

APPOINTMENTS

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2119

“AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD,
CHAPTER 13”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2120

“AN ORDINANCE TO AMEND CHAPTER 13 (MOTOR VEHICLES AND TRAFFIC)
OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO
REGULATE PARKING ON SOUTH EUCLID NEAR LENOX AVENUE, AND TO
REPEAL AND UPDATE CERTAIN PARKING REGULATIONS AS A RESULT OF
LOT 7 IMPROVEMENT”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2121

“AN ORDINANCE REGARDING SMOKING IN CERTAIN PUBLIC PLACES”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, GENERAL ORDINANCE NO. 2119 - “GENERAL
ORDINANCE NO. 2119 – AN ORDINANCE TO AMEND THE CODE OF THE
TOWN OF WESTFIELD, CHAPTER 13” by Councilman Dardia, seconded by

Councilman LoGrippo, was taken up, read and passed by the following vote of all present
upon roll call as follows:

Yeas: Habgood

Nays:

Absent:

Arena

Dardia

Neylan

LoGrippo

Contract

Stokes

Mackey

Mayor Brindle

An ordinance entitled, GENERAL ORDINANCE NO. 2120 - "GENERAL ORDINANCE NO. 2120 – AN ORDINANCE TO AMEND CHAPTER 13 (MOTOR VEHICLES AND TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO REGULATE PARKING ON SOUTH EUCLID NEAR LENOX AVENUE, AND TO REPEAL AND UPDATE CERTAIN PARKING REGULATIONS AS A RESULT OF LOT 7 IMPROVEMENT" by Councilman Dardia, seconded by Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Arena		
Dardia		
Neylan		
LoGrippo		
Contract		
Stokes		
Mackey		
Mayor Brindle		

An ordinance entitled, GENERAL ORDINANCE NO. 2121 - "GENERAL ORDINANCE NO. 2121 – AN ORDINANCE REGARDING SMOKING IN CERTAIN PUBLIC PLACES" by Councilwoman Mackey, seconded by Councilman Dardia, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Arena		
Dardia		
Neylan		
LoGrippo		
Contract		
Stokes		
Mackey		
Mayor Brindle		

BIDS

MINUTES

On a motion by Councilman Stokes and seconded by Councilman Stokes, Council approved the Minutes of the Town Council Conference Session, Executive Session and Regular Meeting and Executive held January 15, 2019.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Jen Blasi, 779 Carleton Road, expressed concern with the recent robbery at 7-Eleven. Thanked the Police Chief for his comments and the information. Explained that in 2016 residents from her neighborhood and throughout the Town attended Town Council meetings to express opposition to a twenty-four (24) hour operating business in their neighborhood. The main concern at the time was safety, and since this business is “literally in her backyard”, implored the Town Council to consider an ordinance restricting twenty-four (24) hour businesses. Also expressed concern with the Nixle alert that was transmitted with respect to this crime. Stated that she understands that the Police Department did not have sufficient information to issue an alert shortly after the robbery occurred, but feels it was important for residents to be notified of the situation, especially those with teenagers that could have been travelling home at that time, or for residents who work evening hours. Stated that the press release did not indicate a time as to when the suspects were apprehended and feels residents should have been notified because the suspects could have been in the neighborhood or hiding in adjacent backyards. Does not feel the information needs to be specific, but residents should know generally what is happening. Requested clarification as to the time and location in which the suspects were apprehended.

The Police Chief confirmed that the suspect was apprehended later that same day on Central Avenue. Explained that the suspect returned to Westfield for reasons he is unable to disclose, and once the Westfield Police Department became aware that he had returned to Westfield, they immediately responded to that location. An intense foot chase ensued, and the suspect, as well as a second individual who drove the robber to Westfield, were apprehended. Pointed out that these individuals did not return to the scene of the crime, they were not armed when they were apprehended, and they did not present a danger to residents. Stated that he is confident that his officers conducted such an intensive and comprehensive search during those early morning hours that there was no likelihood that anyone was subject to any danger. Assured residents that there was absolutely no chance that a resident would have encountered the suspect when leaving their home later that morning. Also stated that the Police Department employed every tracking source possible, including police dogs.

Ms. Blasi stated that residents still have concerns and she feels anyone could have been coming home and been unaware of the situation occurring. Discussed crime statistics involving twenty-four (24) hour businesses and stated that Westfield is now included in those statistics.

Councilman LoGrippo asked the Police Chief if there has been an evaluation for obtaining license plate readers and surveillance cameras.

The Police Chief stated that two (2) of the Town’s police vehicles are equipped with license plate readers and when there is a serious crime, these vehicles are called to the area to immediately begin reading license plates. Also stated that there are license plate readers installed in adjacent towns in heavily travelled areas. Explained that because of license plate readers used by law enforcement, the vehicle related to the crime at 7-Eleven was able to be put in the area of other crimes, and are currently under investigation.

Shawn Mullen, Carleton Road, referred to a previous Town Council meeting in which he expressed concern with a vehicle theft that occurred at the 7-Eleven on Central Avenue. Discussed Town Council meetings he attended in 2016 in which he urged the Town Council to oppose 7-Eleven’s application because of the crimes associated with this business. Discussed crime data he collected and provided to the Town. Also discussed meetings held by the Code

Review and Town Property Committee and the Planning Board in 2016 with the respect to this business, stating that the Planning Board approved nine (9) variances which allowed 7-Eleven to operate in the Central Avenue location in Town. Referred to comments that residents were not in danger at any time and disagreed with that assessment. Feels that each day that 7-Eleven is able to remain in business, residents are in danger. Thanked the Westfield Police Department for its efforts and stated that he feels safe with the Police Department, but not with 7-Eleven. Feels this issue is a classic example of residents being let down by its Town. Questioned how the Town plans to address this matter and feels there is no need for further studies. Feels the Town should amend its ordinance and feels while it might be difficult to prohibit twenty-four (24) hour businesses, there are other options available to the Town. Discussed ordinances adopted by other municipalities with respect to this matter, specifically an ordinance adopted by Cranford that requires certain security measures for twenty-four (24) hour businesses such as having two (2) staff members on the premises during overnight hours, as well as security guards. Stated that he would provide the information he has gathered to the Town Administrator. Stated that there are many children that live in close proximity to 7-Eleven and feels their safety is at risk. Also expressed concern that there are no representatives from 7-Eleven present this evening. Feels representatives from 7-Eleven should be assuring the Town that they are good neighbors and plan to address this issue, but feels they are not present because they do not care. Discussed various instances in which 7-Eleven has violated the Town Code, including property maintenance issues, signage, and overnight deliveries. Feels the Town needs legislation to prohibit this type of operation in Town.

Mayor Brindle stated that she does not disagree with Mr. Mullen's concerns and asked that the Town Council incumbents that were present at the time of 7-Eleven's application to the Planning Board comment on this matter.

Councilman LoGrippo discussed the review that occurred at the time 7-Eleven submitted its application and stated that he fought hard for overnight restrictions. Also discussed the ordinance that Cranford adopted which was overturned in court. Stated that the Code Review and Town Property Committee recently discussed this matter and would review it further to determine if there is any action that could be taken

Councilman Stokes stated that he supported the need for overnight restrictions when this issue was first brought to the Town and continues to support the need for overnight restrictions.

Councilwoman Neylan discussed her involvement when this issue was first presented to the Town. Stated that she is currently a member of the Code Review and Town Property Committee and appreciates Councilwoman Mackey's enthusiasm to address this matter, but stated that there are many legal parameters that the Town must adhere to, making it difficult to restrict hours of operation. Discussed Cranford's ordinance that was overturned in court, which were related to procedural issues. Feels requiring security guards on the premises might be a viable option since restricting the hours are not. Assured Mr. Mullen that there was no lack of effort on the Town's part and attempts were made to address this issue when it was first presented to the Town.

Mr. Mullen feels the issue is that there were other options available which were provided to the Town Council, but no action was taken. Feels there are "working" ordinances that are available, but the Town did not seem to have the wherewithal to consider them. Referred to the ordinance adopted by Cranford, and feels Cranford made an attempt even though it was overturned.

Councilwoman Neylan stated that she appreciates Mr. Mullen's concerns and that she is also concerned with the increase in crime, but assured him that there was no lack of effort during the Town's initial review of this matter. Stated that if something has changed that would allow the Town to implement some restrictions, the Code Review and Town Property Committee would investigate it, but at the time this matter was initially presented, the Town did not want to adopt an ordinance that would result in a frivolous lawsuit and burden the taxpayers, knowing that the outcome would be against the Town.

Mr. Mullen feels that the Town has let the residents down, particularly the Planning Board. Referenced the application related to a subdivision on New England Drive in which no variances were required, but the Planning Board "found a way" to deny the application.

Mayor Brindle asked if the Town Council had considered the security requirements implemented by Cranford when 7-Eleven's application was first considered.

Councilwoman Neylan stated that she cannot answer Mayor Brindle's question, but believes the Town worked within the required legal parameters at the time. Stated that she is also uncertain as to whether the security requirements implemented by Cranford were also overturned by the court.

Councilwoman Mackey thanked Mr. Mullen for attending the meeting tonight and also thanked him for his comments. Feels it is important for residents to provide input to the Town Council. Stated that when she first became aware of this incident, she immediately reached out to the Town Attorney and the Town Administrator for information as to what could be done to address this matter. Explained that Councilwoman Neylan is correct and the Code Review and Town Property Committee needs to be "brought up to speed" on this issue because many of the councilmembers were not in office when 7-Eleven's application was originally filed. Assured Mr. Mullen that the Town is concerned about this issue and would work together to aggressively take whatever legal action it can take to resolve this issue. Stated that the Town could "get creative" in how it approaches this issue, such as inviting 7-Eleven to a meeting because 7-Eleven recently expressed a desire to be a good neighbor, and she plans to hold them to that. Believes the Town will identify some way to address this matter, and also believes the Town Council would be supportive if there is a legal way to restrict the hours of operation.

Councilwoman Mackey also addressed Ms. Blasi's comments and referred to the comments by the Police Chief. Assured residents that if the suspect was at large within Westfield, a Nixle alert would have been transmitted.

Mr. Mullen thanked the Town Council for its efforts and stated that he appreciates the work that they do.

Mayor Brindle stated that the Town is committed to finding a solution.

Councilman LoGrippe requested clarification as to whether this crime would be tried at the municipal level or the county level.

The Police Chief explained that armed robbery is a first degree offense, which is a serious, indictable offense, under the jurisdiction of superior court. Explained that the individual placed under arrest for the robbery at 7-Eleven has been remanded to the Union County jail with a detention hearing scheduled for January 30, 2019, at which time the court will determine if he shall remain remanded until trial, or if released from custody, under what conditions.

Councilman Stokes requested further clarification as to why a Nixle alert was not sent due to the seriousness of the offense that was committed.

The Police Chief explained that the Police Department was satisfied that there was no threat to the neighborhood due to the comprehensive search that was conducted. Also stated that the Police Department was confident that the suspect was no longer in the area and that there was no risk of a resident confronting the suspect. In addition, explained that developments during the course of the investigation led the Police Department to this determination. Also mentioned that patrol officers were in the area at the time of this incident and were involved in an activity related to the incident, and were very close to thwarting it.

Councilman Stokes commended the Police Department for their handling of this incident. Requested clarification as to the protocol involving these crimes and whether Union County and/or the NJ State Police are immediately contacted.

The Police Chief explained that all crimes that occur within the Town fall under the jurisdiction of the Westfield Police Department. Explained that the Police Department employed outside resources for assistance with this robbery, an alert was immediately transmitted to Union County municipalities, and several Union County municipalities were actively searching for the suspect in their communities. The Union County's Sheriff's Office was also contacted for a canine unit. The Police Department was confident that the suspect was no longer in Westfield based upon this search and other developments that occurred. With respect to the investigation of this crime, explained that Westfield would handle it entirely, and would employ the Union County lab for forensic testing. Explained that the standard for making an arrest is probable cause, but the standard for a conviction in a court of law is proof beyond a reasonable doubt. Stated that the Police Department has follow up investigating and forensic work to conduct in order to be ready to go to trial, and would employ outside resources if necessary. This responsibility also falls under the jurisdiction of the Westfield Police Department until trial, which is then under the jurisdiction of the Superior Court.

Councilman LoGrippo explained that public perception is that there has been an increase in robberies in Town.

The Police Chief stated that crime statistics were reviewed, specifically when the recent neighborhood watch program was established. Stated that there is definitely a surge in motor vehicle thefts and thefts of property from motor vehicles, but residential and commercial burglaries have decreased. Stated that there has been more transparency, and announcements are being made when incidents occur, which might be why there is a perception of increased crime. Assured residents that the Police Department is attempting to be as transparent as possible and there is no intent to hide any information.

Councilwoman Neylan requested clarification as to crime statistics and stated that it is her understanding that this information is public record and has always been made available to the public.

The Police Chief confirmed that crime statistics are public record and discussed the reporting process that is required. Explained that the Town has been more proactive in sharing information through press releases since his appointment as Police Chief. Feels it is important to share the work of patrol officers with residents.

Councilman LoGrippe stated that he learned about this crime through social media and feels the councilmembers should have been notified directly. Believes communication needs improvement.

The Police Chief stated that his goal is to strive to do things better, and the Police Department would work to do a better job.

Councilman Contract mentioned that 7-Eleven recently appeared in municipal court and asked the Town Attorney to comment on whether there has been a response to this matter by 7-Eleven.

Councilwoman Mackey explained that 7-Eleven's appearance in court was unrelated to this crime. Feels more discussion is needed because the Code Review and Town Property Committee discussed this matter for the first time earlier this evening and she would like the opportunity to meet with 7-Eleven to understand how they intend to be a good neighbor.

The Town Attorney referred to Councilwoman Mackey's comments concerning the meeting held by the Code Review and Town Property Committee, in which discussion was held as to different legal steps the Town could take to address the issues occurring at 7-Eleven. The Code Review and Town Property Committee determined that a good first step in addressing this issue would be to meet with 7-Eleven corporate individuals.

Lewis Corno, 636 Hort Street, thanked Councilman Arena for the letter he sent to the Union County Board of Chosen Freeholders. Stated that he was unaware of the amount of tax money allocated to Union County, or that Westfield paid the highest portion in comparison to other Union County municipalities and asked if any of those funds would be recouped by Westfield for property tax relief.

Councilman Arena informed residents of a letter he sent to the Westfield Leader and to Tap into Westfield. Discussed Kimberly Mouded's election to the Union County Board of Chosen Freeholders which he feels is a benefit to Westfield because Ms. Mouded is a Westfield resident. Also explained that Freeholders serve at large and are not designated to serving one specific area within the county. Discussed various county buildings that are located in Westfield, which are a value to Union County, and a quick analysis of these properties that was conducted by Town professionals. It was determined through this analysis that the revenue to the Town with respect to these properties is estimated at approximately \$700,000. Councilman Arena then explained that he sent a letter to Freeholder Mouded to congratulate her on her election, but also to request that she investigate the potential for having these funds credited back to Westfield. Explained that overall Westfield submits approximately \$42 million to Union County each year, which is the highest amount paid of all of the twenty-one (21) municipalities within the county, even

though there are other municipalities with a much higher population, such as Elizabeth. Feels this is very burdensome to Westfield, especially with the revaluation that is underway. Stated that Freeholder Mouded was unable to meet with him on the date he requested, but a meeting is being scheduled which would also include the County Manager, and potentially the Town's Finance Committee. Also mentioned that the Mayor of Scotch Plains coincidentally submitted a similar letter to the Westfield Leader in which Scotch Plains requested tax credit of approximately \$700,000 from the State of New Jersey that is related to revenue municipalities used to receive for rights of way, sewer, electric and cable. Feels Westfield should make the same request and also feels it would be a higher amount for Westfield because it is a bigger community than Scotch Plains. Feels both county and state taxes are very burdensome to Westfield and referred to a resolution included on the agenda this evening which authorizes tax payments to Union County. Also discussed a recent study that was conducted which indicated that New Jersey has the highest rate of residents moving out of state because of the tax burden. Invited residents with questions to contact him.

Mr. Corno also discussed a recent Town Council meeting in which Anthony LaPorta requested that the Town Council consider adopting a resolution banning assault weapons. Stated that assault weapons are already banned within the State of New Jersey and questioned the need for this matter to be included on an upcoming Town Council agenda. Explained that the "AR" in the title "AR-15" does not stand for assault rifle, but refers to the company that manufactured the rifle. Discussed his concerns with proposals for certain bans on weapons and the ultimate impact to the Second Amendment.

Mayor Brindle explained that she is big proponent of federal laws for sensible gun control and one of the first things she did when elected was sign a Mayors Against Illegal Guns pledge. Referenced Mr. LaPorta's proposed resolution and explained that Mr. LaPorta also proposed this resolution in 2018 but she did not refer it to the Town Council for several reasons, the first being that New Jersey already has a ban on these weapons and she is very focused on local issues that impact the Westfield community. Feels it would not be worthwhile for the Town Council to focus on something that has already been addressed at the State level. Also explained that during follow up conversations she had with Mr. LaPorta, it is Mr. LaPorta's theory that if every municipality were to adopt this resolution, there would be a groundswell that would eventually impact federal legislation. Mayor Brindle explained that she contacted Congressman Malinowski and Congressman Booker to determine if this resolution would have any impact on federal legislation and is currently awaiting a reply. Also stated that she would like to know if the resolution Mr. LaPorta has proposed is consistent with the resolution proposed at the national level. Once she receives a reply from the congressmen and they feel it would have an impact, she might consider the resolution, but she is not interested in using councilmembers time and energy to pass a resolution that she considers to be "window dressing".

Councilwoman Habgood responded to Mr. Corno's initial comment concerning Union County taxes. Stated that she also reached out to Freeholder Mouded who would be attending the Town's public meeting on January 31, 2019 concerning the 2019 budget. Also stated that she is working with Freeholder Mouded to schedule a meeting with the Union County Tax Assessor to discuss how Union County is utilizing Westfield's tax dollars. Feels Union County needs to improve its communication as to all of the services it provides. Also explained that she would like the Town to have the opportunity to express to Union County some ideas of how it would like its tax dollars used and she would also like to keep an open line of communication with Freeholder

Mouded.

Mayor Brindle expressed concern with Councilman Arena's communication to Freeholder Mouded, stating that Councilman Arena sent a copy of his letter to the Westfield Leader and Tap into Westfield at the same time he had sent it to Freeholder Mouded, which caused her to believe that his letter was disingenuous and political grandstanding. Feels the meeting suggested by Councilwoman Habgood is a truly transparent meeting with the Union County Tax Assessor and would be for the public and the entire Town Council, making it much more meaningful and impactful.

Councilman Arena stated that he sent his letter to Freeholder Mouded prior to sending it to the Westfield Leader and Tap into Westfield.

Mayor Brindle stated that regardless of when Councilman Arena submitted a copy to the Westfield Leader and Tap into Westfield, it was sent before Freeholder Mouded responded to it. Feels for this reason, Councilman Arena was not interested in meeting with Freeholder Mouded, but in making a political point.

Councilman Arena stated that he was interested in meeting and sent the copy of his letter to the press in an effort to be transparent.

Councilman Stokes feels that all are interested in tax savings.

Harvey Davidson, 764 Carleton Road, expressed his appreciation to the Mayor and Town Council for all that they do. Also thanked the Police Department for its efforts and the Mayor and Town Council for their willingness to work with 7-Eleven. Informed the Mayor and Town Council that there is also a traffic problem at the 7-Eleven that has not been addressed. Explained that there is a left-turn out of the parking lot onto Grove Street which presents a problem, and that no parking signs on Grove Street have been removed. The Town has indicated that no signs were removed, but Mr. Davidson believes there is an ordinance prohibiting parking to the corner which would require that a no parking sign be installed. Stated that during rush hour, traffic is backed up because of the obstruction caused by parked cars. Also stated that although there is a no left turn sign into the parking lot, cars are making the turn anyway. Stated that it is his understanding that the Traffic Division is reviewing this issue, but feels it is a dangerous situation that needs to be addressed.

Mayor Brindle thanked Mr. Davidson for attending tonight's meeting, and also for attending the Mayor Meet-Up yesterday. Stated that his concerns would be included with the other issues to be addressed with 7-Eleven.

Councilman Dardia thanked Mr. Davidson for attending tonight's meeting. Stated that last year an assessment was conducted by the Public Safety, Transportation and Parking Committee and it was determined that no changes were needed to the area, but assured Mr. Davidson that this issue would be revisited.

Mr. Davidson suggested that the traffic flow be reviewed in the morning and late afternoon when there is heavy traffic.

Jennifer Silva, Carleton Road, stated that her home is directly across from 7-Eleven, with her backyard and driveway on Grove Street. Also stated that she agrees with Mr. Davidson's comments concerning traffic and parking issues at the 7-Eleven. Informed the Mayor and councilmembers that she has called to report illegal parking on Grove Street, and discussed assistance she has received from Councilman LoGrippo due to cars blocking her driveway. Also informed the Town Council of instances where she has nearly been hit by vehicles while attempting to pull out of her driveway. Explained that with Councilman LoGrippo's help, yellow striping was painted around her driveway, but drivers disregard it. The Town official who handled the striping agreed that parking is prohibited on that portion of Grove Street, and that additional signage is necessary. Feels the same type of striping done around her driveway needs to be done across the street, and stated that a no parking sign was there prior to the construction of the new homes that recently began on the street.

Ms. Silva also discussed safety concerns in connection with 7-Eleven, and informed the Mayor and councilmembers that given the proximity of her home to 7-Eleven, the canine unit has been in her backyard on several occasions, and she has needed to contact the Police Department for information. Stated that while she agrees with the Police Chief's statement concerning alerts to residents, police activity in the area is alarming to her since her yard backs up to the 7-Eleven. Stated that 7-Eleven does very little business after 10:00 PM and while she understands that the Town cannot legally change 7-Eleven's hours of operation, suggested that 7-Eleven might be willing to voluntarily close by 11:00 PM if the Town were to request it.

Colleen Meacock, 643 South Chestnut Street, provided an update of noise issues experienced at the ice rink at Gumbert Park. Discussed the various noises in connection with the rink, such as referee whistles, shouting, hockey play, holiday music, cars idling, car alarms, and talking and the decibel levels for each. Discussed the location of the nearest home and the decibel levels for noises associated with a quiet neighborhood or office. Also discussed the sound levels during daytime hours as per the New Jersey Noise Act of 1971 and the definition of noise as per the Miriam Webster Dictionary. In addition discussed the definition of sound and its negative impact to the physiological and psychological wellbeing of an individual as per the Handbook of Hearing. Explained that the noise from the rink is also louder because it is winter and sound travels further in cold weather. Stated that the Ice Rink Advisory Committee was advised on January 9, 2019 that the noise coming from the rink was normal hockey related noise. This noise has been exacerbated because of the cold weather and because it continues after dark when other parks are closed. Stated that Gumbert Park used to close at dusk. Also stated that the Gumbert Park residents have been negatively impacted by the noise of ice hockey teams, the majority of which are from other municipalities. Feels the ice rink is not in right location because it is a commercial business in a residential area and should be located in a building so that hockey related noise can be contained indoors, or in a location where there are no residential homes. Also stated that it should have its own on-site parking.

Susan Levy, 635 Salter Place, referenced one of Mayor Brindle's goals for 2018, which was to champion quality of life issues that impact all residents, and stated that in 2018, Westfield allowed a private operator to install an ice hockey rink at Gumbert Park. Referred to a previous comment by Mayor Brindle in which a resident expressed to her that it was nice that Washington School was able to hold a fundraiser at the rink, but feels the Town Council should consider that the quality of life issue for the residents in the neighborhood of Gumbert Park is imbalanced. Stated that users of the rink are parking on residents' lawns and blocking driveways. Also stated

that despite Westfield's new Green team, there are cars idling in the parking lot on a daily basis. Feels the neighborhood experiences a degraded quality of life for the one time of year the rink is used by a local school for a fundraiser and for the few times a week the Westfield Hockey Club uses it for practice. Also feels that it is important to point out that the majority of the time the rink is being used by other towns, and questioned why the quality of life for Westfield residents is being degraded to benefit other municipalities. Also referenced an article in the Westfield Leader related to an indoor basketball court being proposed on Route 22 in Mountainside and feels it is ironic that the ice rink has eliminated access to the Gumbert Basketball Courts when there appears to be a need for this type of facility. Also discussed the number of parking spaces Mountainside is requiring for this facility, which is one hundred and twenty (124), as compared to the forty-eight (48) parking spaces Westfield felt was sufficient for the ice rink, and stated that forty-eight (48) spaces has not been sufficient. Feels the ice rink is inconsistent with Mayor Brindle's goals and the agreement should not be renewed again next winter.

Mayor Brindle discussed efforts to address noise and stated that the Town Administrator just received approval from Green Acres to install screening on one side of the rink to deflect the noise toward North Avenue. Stated that she is reserving judgment on this matter at this time because she feels input from all residents is needed, and data with respect to usage needs to be reviewed. Confirmed that other municipalities are using the rink but stated that there is a great deal of local usage as well. Feels these factors need to be considered in addition to the impact to the neighbors. Explained that the Recreation Commission has been directed to collect all input. Believes this would be done at some type of public forum, and the Recreation Commission would ultimately make a recommendation as to a location going forward. Assured residents that all feedback would be seriously considered. Stated that she is fact driven and feels all facts are needed, such as financials and quality of life for neighbors, as well as quality of life for the community.

Councilwoman Neylan requested clarification as to the consideration of this matter since quality of life issues are not necessarily fact-driven, and questioned if a decision would be made on the basis of economic feasibility and usage.

Mayor Brindle stated that the items mentioned by Councilwoman Neylan would be measured against legitimate concerns of the neighbors.

Councilwoman Neylan feels the concerns of neighbors could be considered subjective.

Mayor Brindle reiterated her previous statement with respect to the Recreation Commission's review of all input and ultimate recommendation, and stated that a final decision would be made by the Town Council.

Eugenia Arida, 2 Naworth Pass, referred to a previous Town Council meeting she attended at the time that home burglaries were occurring on Sylvania Place, and requested an update as to the action taken to address crime in Westfield. Stated that her home was burglarized in 2009 and discussed neighborhood watch meetings that were held at that time, in which camera installation at major Town arteries was discussed, but did not move forward. Asked if the Town Council is considering this option.

The Police Chief discussed the recent formation of neighborhood watch meetings and stated that the potential for the installation of cameras and license plate readers were discussed in detail, but no definitive determinations were made at that time. Stated that the formation of a neighborhood watch has had an impact because the number of burglaries and car thefts has gone down. Also discussed a recent burglary on Fairhill Road and stated that the reporting of suspicious activity by residents enabled the Police Department to respond to this area quickly and to locate the suspect. Also stated that Police Department detectives are meeting regularly with Watch Captains. Feels the installation of cameras is something to be considered and stated that there are fixed license plate readers currently located in areas in Union County. Explained that there is a cost factor that is involved, but feels they are options that should be discussed.

Mayor Brindle stated that it is her understanding that there might be more effective crime prevention measures than the use of cameras and feels cameras can sometimes provide a false sense of security. Stated that discussions are occurring as to various types of crime prevention options, including license plate readers and the use of unmarked cars.

Councilman LoGrippe explained that he is familiar with the use of cameras and license plate readers as they pertain to his regular employment and stated that many municipalities are using cameras and license plate readers because the technology is not that expensive. Stated that he could arrange to have the Police Chief visit a facility to see the technology other municipalities are using. Feels these devices are becoming more main stream because citizens are not as adverse to them as they once were, and pose no issue to those who are abiding by the law.

Ms. Arida asked if there is a timeframe for fact finding related to these options.

Councilman LoGrippe stated that he is a member of the Public Safety, Transportation and Parking Committee and would be happy to work with Councilman Dardia, who chairs the committee, on this matter.

Councilwoman Mackey asked Councilman LoGrippe if could provide a cost estimate for this type of technology.

Councilman LoGrippe explained that the cost to purchase the cameras has come down but there is also a cost related to data storage.

Mayor Brindle stated that it is her understanding that the storage of data can be costly and referred to an article that she read in the Wall Street Journal which indicated that smaller municipalities are eliminating body cameras because the storage cost is very expensive. Feels the cost needs to be considered relative to what the cameras are meant to accomplish.

Ms. Arida discussed cameras she has installed on some properties and stated that the cost is approximately \$100 per year.

Mayor Brindle explained that it is her understanding that the cost mentioned by Ms. Arida is no comparison to the cost for the technology used by municipalities.

Councilwoman Neylan stated that the discussion is focusing on cameras but feels the bigger narrative is that something needs to be done because it feels as though Westfield is becoming an unsafe Town. Stated that she no longer leaves her doors unlocked.

Mayor Brindle stated that statistics indicate that there has been no increase in crime in Westfield, other than car thefts, which is not unique to Westfield and is endemic in New Jersey. Stated that she agrees with the Police Chief's assessment concerning the Town's proactive communication of information to residents in an attempt to increase awareness.

Councilwoman Neylan feels there is a perception that crime has increased overall, and car thefts have in fact increased.

Mayor Brindle reiterated her previous comment that that the increase in car thefts is a statewide and national epidemic. Stated that she does not want to imply that there is any relation to the Westfield Police Department and a rise in crime, but stated that she agrees that there are strong deterrent measures that could be put into place.

Councilwoman Habgood informed Ms. Arida that the neighborhood watch has been reestablished and stated that there is information on the Town's website and on social media. Also stated that there have been a number of meetings inviting residents to attend and volunteer. Discussed the designation of Watch Captains in various districts, but volunteers are still needed in Ms. Arida's neighborhood and suggested that Ms. Arida volunteer.

Mr. Arida stated that she would like to be involved and informed the Town Council that she is concerned for her family and will not allow her children to walk to neighbor's houses. Also offered to share her file which contains crime statistic information that was provided to her by the Police Department in 2009 when her home was burglarized. Explained that the data is from the time period of 1997 to 2007, which indicated a seventy (70%) percent increase in crime during that period. Ms. Arida explained that since she does not have data after 2007, she is uncertain as to how recent crime statistics compare to the information in her file.

Councilman Stokes requested an update concerning the neighborhood watch.

Councilwoman Habgood explained that the neighborhood watch was reestablished as a pilot program for Ward 1 residents and an assessment as to its success would be made at the end of January.

Councilman Stokes feels it is important for residents to understand that the intention is to expand the program throughout the entire Town.

Councilwoman Habgood stated that the program would be expanded and explained that the process that was put into place for Ward 1 would be applied to other wards.

Councilman LoGrippe asked the Police Chief if the reduction in court revenue has created a perception that Westfield is lax on crime.

The Police Chief feels the reduction in court revenue could be related to several factors, such as the reduction in parking enforcement and bail reform. Discussed in detail the aspects of the

current bail process, the change in the requirement for cash bail, and its impact to municipalities. Stated that he believes the reduction in parking enforcement has impacted court revenue, but not enforcement as a whole.

Councilman Arena commended the Police Chief and the Police Department for its efforts. Feels bail reform has had an impact on crime statistics because those who commit crimes are being released under the new regulations.

The Police Chief feels that there is not much of a crime deterrent without cash bail.

Mayor Brindle feels it is important to mention that bail reform is also not unique to Westfield.

The Town Administrator thanked the Police Chief for his comments this evening and his responsiveness. Also thanked the public for their comments and for expressing their concerns, but feels it is important for all to understand that while crime knows no municipal boundaries, Westfield is a very safe Town. Feels the programs established by the Police Chief last year, such as the neighborhood watch and the "9:00 PM" routine have all played a big part in the safety of the community. Feels it is important for everyone to understand and realize the importance of the part that residents play with respect to crime prevention. Also commended the Police Department for the notifications it has been transmitting and its increase in transparency, but explained that increased transparency could be a detriment at times because there is both good and bad that comes with increased awareness. Feels Westfield is fortunate to have very engaged residents, very engaged councilmembers, and a new Police Chief and Police Department with a new outlook.

Councilman Stokes referred to comments made with respect to neighborhood watch groups and asked how residents wishing to participate should express their interest to the Town.

Mayor Brindle explained that it was important that Police Department personnel be properly allocated when the neighborhood watch in Ward 1 was established, and there was an effort to avoid overwhelming the Police Department by establishing neighborhood watch groups all over Town all at once. Feels once an assessment and recommendation as to the Ward 1 neighborhood watch is available, the program would be expanded and volunteers would be solicited accordingly by the councilmembers of each ward through a public notice to residents.

Councilwoman Habgood provided an overview of the neighborhood watch in Ward 1 and explained that she and Councilman Arena worked with the Police Chief to divide the ward into districts. Once districts were established, a notification to residents for volunteers to cover each district was issued and captains were designated. Explained the rationale as to how the districts were established and explained that while they have several volunteers, not all districts are covered. Also explained that the captains coordinated efforts to go door-to-door to inform all residents in their districts of the neighborhood watch and to attempt to build a relationship with each other. Explained that it was important for residents to get to know each other and to understand each other's patterns so that it could be easily recognized if something was out of the ordinary. Discussed the assessment report that is being completed which will determine the effectiveness of the program.

Councilman LoGrippo stated that each councilmember was asked to obtain a list of block captains in October, so he has a list available.

Mayor Brindle stated that a determination as to how much time would be required by the Police Department is needed before the program is expanded.

Councilwoman Habgood discussed the fact that a detective from the Police Department is assigned to each district, which has allowed for a relationship to develop between the district captains and police detectives.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Stokes, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$612,346.24 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Contract, were unanimously adopted with Councilman Arena opposing Resolution No. 37:

Resolution No. 34

WHEREAS, Susan Agresta submitted an application for a dog license along with a check for \$32.00 for the 2019 licensing year on December 31, 2018; and

WHEREAS, the owner no longer has possession of the animals and requested a refund;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized to issue a warrant for \$32.00 for refund of the 2019 Animal License application fee to:

Susan Agresta
1130 Minisink Way
Westfield, NJ 07090

Resolution No. 35

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$6,000.00 to the order of the United States Postal Service to replenish a postage meter to process the Town's daily mail.

Resolution No. 36

WHEREAS, David Wayman was custodian of the Police Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Town of Westfield is changing custodians to Christopher Battiloro; and

WHEREAS, Christopher Battiloro is bonded in the amount of \$1,000,000 by virtue of an Employee Dishonesty Blanket Coverage bond through the Municipal Excess Liability Joint Insurance Fund.

NOW, THEREFORE BE IT RESOLVED that that Council of the Town of Westfield hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Resolution No. 37

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the County of Union, for County Purpose and Open Space Taxes and Added and Omitted County and Open Space Taxes as provided in the year 2019 budget:

County Purpose Taxes	
February 15, 2019	\$10,007,029.36
May 15, 2019	\$10,007,029.35
County Open Space Taxes	
February 15, 2019	\$291,665.71
May 15, 2019	\$291,665.70
County Added & Omitted Taxes	
February 15, 2019	\$359,828.07
County Open Space Added & Omitted Taxes	
February 15, 2019	\$10,413.62

Resolution No. 38

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2019 budget:

February 1, 2019	\$104,086.75
May 1, 2019	\$104,086.75

Councilmember comments:

Councilwoman Habgood discussed Councilman Arena's earlier comments concerning payments to Union County and explained that Resolution No. 37 referenced above authorizes the Town to make these payments, but those payments are not made until taxes are collected.

Councilwoman Neylan stated that Councilman Arena has been attempting to recoup tax dollars from Union County for several years and does not feel it was a political endeavor. Thanked Councilman Arena for taking the lead on this matter, and also thanked Councilwoman Habgood for her efforts to obtain information from Union County.

Mayor Brindle asked Councilman Arena what initiative he has taken in this regard.

Councilman Arena stated that under the previous administration he presented several proposals to the former Mayor and other Union County Mayors that attended. Explained that the Town currently provides Union County with \$42 million in funding for services, and one of his proposals was to provide Union County with \$21 million with no services.

Mayor Brindle asked if Councilman Arena has met with Union County officials to discuss his proposals.

Councilman Arena stated that he has met with Union County officials in the past, but has not met with them recently. Feels since Mayor Brindle is a democrat and all Freeholder members are democrats, Mayor Brindle might have more influence with Union County officials than he has had.

Mayor Brindle feels it is a good start that a Westfield resident is now a Union County Freeholder. Explained that she does like to "take battles that you cannot win" and would rather focus on what has not happened in past eight (8) to twelve (12) years, which is extracting value from Union County for the taxes that Westfield pays. Feels Westfield has spent many years "demonizing" Union County so there has been no incentive for the Union County to deliver on the taxes that Westfield pays. Referred to a proposal by Councilman Arena to secede from Union County which she feels was "dead on arrival". Feels the focus should be on the fact that Westfield has a Freeholder on the board that could be part of a process that would enable Westfield to obtain appropriate grants, or funding for events such as Addams Fest. Stated that while she disagrees with Councilman Arena's strategy, she does not disagree with the value Westfield has gotten for its tax dollars from Union County.

Councilman Arena feels the Mayor and councilmembers should support his efforts to obtain a \$700,000 credit from Union County. Feels these funds could be allocated toward road improvements, public safety and different capital projects. Also feels a meeting should be scheduled with Union County representatives to "get the conversation going".

Mayor Brindle stated that as Chairwoman of the Finance Policy Committee, Councilwoman Habgood is in the process of scheduling a meeting with Union County representatives.

Councilman Arena stated that he would continue to attempt to meet with the Union County manager and others.

Mayor Brindle stated that Councilman Arena could meet with Union County representatives if he chooses, but she would like to follow an appropriate process that is led by the Finance Policy Committee with ultimate involvement by the Town Council. Feels Councilman Arena was originally supportive of Councilwoman Habgood's suggestion in this regard.

Councilman Arena indicated that he would be opposing the adoption of Resolution No. 37.

Mayor Brindle questioned Councilman Arena's opposition to this resolution, stating that this is the first year during Councilman Arena's tenure on the Town Council that he has opposed its adoption.

Councilman Arena explained that he is voting against adoption of this resolution because he has a plan which involves a payment to Union County of \$41,300,000 rather than the full payment of \$42 million dollars.

Mayor Brindle stated that she does not support Councilman Arena's plan.

Councilman Arena expressed concern that residents are moving out of the State of New Jersey. Discussed the number of open houses that occurred in Westfield this past weekend and feels this is occurring throughout the entire State of New Jersey, and stated that Union County and the State of New Jersey will not willingly return money to municipalities.

Councilman LoGrippe asked what percentage of Westfield's taxes is allocated to Union County.

Councilman Arena stated that it is approximately twenty-five (25%) to twenty-six (26%) percent.

General Ordinance No. 2124

Regarding the following ordinance, Councilwoman Habgood made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2124 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2036 ENTITLED "AN ORDINANCE FIXING THE WAGES OF CERTAIN EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT."

Motion was seconded by Councilman LoGrippe.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood

Nays:

Absent:

Arena

Dardia

Neylan

LoGrippto

Contract

Stokes

Mayor Brindle

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Dardia, Chairman of the Public Safety, Transportation and Parking Committee, and seconded by Councilman LoGrippto, was unanimously adopted.

Resolution No. 39

BE IT RESOLVED, by the Mayor and Council of the Town of Westfield, County of Union, State of New Jersey.

That pursuant to N.J.S.A. 39:4-8(e) the following described locations are added as bus stops:

COUNTY ROADWAY

ADDED BUS STOP:

1. Along South Avenue, eastbound, on the southerly side thereof at:

a. Windsor Avenue – near side

Beginning at the westerly curblineline of Windsor Avenue and extending 105 feet westerly therefrom.

2. Along South Avenue, westbound, on the northerly side thereof at:

a. Windsor Avenue – near side

Beginning at the easterly curblineline of Windsor Avenue and extending 105 feet easterly therefrom.

That the Mayor and Council of the Town of Westfield will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

Code Review & Town Property Committee

The following resolution, introduced by Councilwoman Mackey, Chairwoman of the Code Review & Town Property Committee, and seconded by Councilman Contract, were unanimously adopted.

Resolution No. 40

WHEREAS, the Town Council of the Town of Westfield pursuant to Chapter 30 of the Town Code has allowed for the licensing of Used Car Lots; and

WHEREAS, Jay's Automotive, 196 Ross Place, Westfield, NJ 07090 has made application for a License to operate an Open Air Lot for sale, exchange or display of motor vehicles pursuant to Section 30-3 of the Town Code; and

WHEREAS, Jay's Automotive has met all terms and conditions as required by Section 30 of the Town Code;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby grant a license to Jay's Automotive, 196 Ross Place, Westfield NJ 07090 to operate an Open Air Lot for the Sale, Exchange or Display of Motor Vehicles that the Town Clerk is hereby authorized and directed to issue said license.

BE IT FURTHER RESOLVED, that not more than two such motor vehicles shall be exhibited or displayed for sale or exchange at any one time.

Public Works Committee

The following resolution, introduced by Councilman Contract, Chairman of the Public Works Committee, and seconded by Councilwoman LoGrippe, were unanimously adopted.

Resolution No. 41

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2018 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, various contracts were awarded to the low bidders to perform the necessary work, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with

N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works Operating Account 137-246 under the Purchase Order numbers listed below.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amounts be authorized:

Camarato Trucking	increase \$6,220.00	18-03910
Ameritico Disposal	increase \$44,464.00	18-03911
Messercola Excavating	increase \$6,220.00	18-03909

AND BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of this Change Order for the 2018 Leaf Collection Program.

Resolution No. 42

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2018 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, various contracts were awarded to the low bidders to perform the necessary work, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works Operating Account 137-246.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amount be authorized:

JESCO Inc.	reduced \$10,003.00	18-03912
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BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of this Change Order for the 2018 Leaf Collection Program.

Reports of Department Heads

Report of Christopher Battiloro, Chief of the Police Department, showing fee collecting in the amount of \$26,842.35 during the month of December 2018

ADJOURNMENT

A motion to adjourn, made by Councilman Stokes and seconded by Councilwoman Habgood at 10:05 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk